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City of Dover, New Hampshire

OFFICE OF THE FINANCE DIRECTOR

May 25, 2010

REQUEST FOR PROPOSAL #B10086 **Specialized Municipal Legal Services**

You are cordially invited to submit a Proposal for **Specialized Municipal Legal Services** in accordance with the attached specifications, terms and conditions. Prospective respondents are advised to read this information over carefully prior to submitting a proposal.

One copy of the Proposal must be submitted in a sealed envelope, plainly marked:

RFP #B10086 - Specialized Municipal Legal Services

**Purchasing/Finance Office
City of Dover
288 Central Ave 2nd. Floor
Dover NH 03820**

All proposals/bids must be received by **June 10, 2010 at 2:30 p.m. EST**

AML:kjn
Attachments

***IMPORTANT:** In order to be notified of any future bids associated with your service, please visit our new web page, www.dover.nh.gov proceed to the Finance/Purchasing/Bids page and add your company to our vendor database.. **Under Contracted Services Class Code 16 Legal Services**

Vendors wishing to respond to a bid request with alternates to specifications must notify the Purchasing Office no less than five (5) business days prior to the bid request opening date. If the proposed changes are acceptable, the City will advise other potential respondents, thereby maintaining equality in the bid process. Failure to advise the City could result either in rejection of the alternate proposal or in an untimely extension of the sealed bid process.

Vendors may be asked, as part of the bid evaluation process, to supply company financial information. This data will be held in the strictest confidence and be utilized only to help assess the stability of a responding firm. The records will be returned to you after identifying the successful respondent to the bid request.



CITY OF DOVER

REQUEST FOR BID, PROPOSAL, QUOTATION

Request Type Bid Number: **B10086**
Title **Specialized Municipal Legal Services**

Date May 25, 2010

I. INTRODUCTION

The City of Dover, NH is requesting proposals from qualified attorneys and/or legal firms for Specialized Municipal Legal Services to be utilized by various city departments, as needed, for **specialized legal services as a supplement to the services of the City Attorney**. Historically, specialized legal services have been used in the areas of Labor and Environmental law. In addition, limited use of outside legal services occurs in general municipal law involving matters for which the City Attorney has a conflict of interest or in matters of importance requiring a second opinion.

II. GENERAL REQUIREMENTS

Firms making proposals must respond in writing to all requirements of this Request for Proposal (RFP). Responses should reflect detailed considerations of the issues and opportunities presented by this project. Any additional information or tasks that are felt to be relevant by the responding firm should be included together with the submittal requirements.

No late, email or facsimile proposals will be accepted.

Costs incurred for the preparation of a proposal in response to this RFP shall be the sole responsibility of the firm submitting the proposal. The City of Dover reserves the right to select or reject any firm that it deems to be in the best interest to accomplish the project specified. The City reserves the right to accept the proposal on one or more items of a proposal, on all items of a proposal or any combination of items. The City reserves the right to discontinue the selection process at any time prior to the awarding of a contract. There will be no reimbursement to any candidate firm if the selection process is terminated. The City reserves the right to waive defects and informalities of the proposals.

GENERAL INFORMATION FOR SPECIALIZED LEGAL SERVICES:

The City is seeking respondents to a solicitation for contracted legal services to perform **specialized legal services on an "as needed" basis**. The City is interested in identifying and utilizing the services of one or more legal firms/attorneys for "as needed" legal assistance. The services requested include providing legal counsel in the form of written and verbal opinions and presentations, and monitoring and representing the City's interests before various judicial bodies and other entities. Specialized legal services are necessary in areas of municipal law to include tax assessment abatement issues, environmental issues, labor, land use, and telecommunications. The City will consider awarding a contract to a single legal firm/attorney or multiple legal firms/attorneys as deemed necessary to address the various specialties required. The City is not seeking proposals for bond counsel at this time.



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The City has a City Attorney on staff, and the purpose of this solicitation is to identify professional legal assistance to supplement his areas of proficiency and expertise.

III PROJECT REQUIREMENTS

PROPOSAL CONTENT/REQUESTED INFORMATION:

Firms responding should identify and provide complete background information on both the firm itself, as well as the key personnel who would be functioning on the City's behalf for legal responsibility. Proposal content shall include, at a minimum:

- Name, address, telephone number, fax number and e-mail address of attorney/firm
- Name of contact person and telephone number for purposes of following up on proposal
- Narrative about the history of the firm, including date of inception, experience with municipal, county state and federal law, experience in the areas of environmental law, land use, public sector employment law, telecommunications law, general civil litigation and tax assessment abatement issues.
- Narrative of the qualifications of the persons proposed to work directly with the City to include:
 - Legal training, years of practice, area of specialization; include date of admittance to NH Bar
 - Years of municipal and/or other local public sector law practice as a full time government attorney or in private law office specializing in local government proceedings
 - Knowledge of and experience with NH municipal law. Identify whether or not a member of the Municipal Law section of the NH Bar Association
 - Litigation experience and demonstration of a satisfactory court track record
 - Identify any scholastic honors achieved and professional affiliations
 - Specify number of hours of CLE courses the applicant has taken relative to matters material to this RFP
 - List of publications and presentations in the area of municipal law
- Narrative about the resources of the firm, to include clerical and support staff, library and research capabilities and other relevant information.



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REFERENCES:

Provide a listing of five current references of similar work being proposed, including the name, telephone number and address of a person who will be contacted to verify information submitted. Identify dates services were performed and a brief written description of the specific services performed and under what conditions they were performed.

INSURANCE COVERAGE:

Indicate how professional liability insurance and indemnity will be provided. Include documentation showing malpractice insurance coverage in an amount not less than \$2,000,000.

Please disclose pertinent information relative to any law suit for malpractice (past, pending or anticipated), and the result of said suit.

REMUNERATION:

Provide a narrative about the proposed method for calculation of fees. Include a description of basic services to be included and list services or other incidentals for which additional fees would be charged. Normal billing cycle procedures shall be identified.

Please state the hourly rates for the designated attorney and associates for all routine, non-special services, and for special services, such as litigation, if at a different rate. As used in this section, routine, non-special services may include, but not be limited to, the following services which are required to be provided within the scope of services for this category – primary representation of the City and all of its boards, commissions, agencies, officers and employees in all civil litigation before assigned Court, Administrative Board or arbitrator.

Pricing structure starting July 1, 2010 and to hold until June 30, 2011.

MISCELLANEOUS:

Describe proposed requirement for term, renewal, amendment, extension and/or termination of contract. Please include a copy of the proposed contract for services.

Proposals will be reviewed by a screening committee established by the Office of the City Manager.

Questions should be directed to either Allan Krans, City Attorney, at (603) 516-6520 or Ann M. Legere, Purchasing Agent, at a.legere@dover.nh.gov.



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Licenses and Permits

All State of NH & local codes, permits and licensing requirements must be met by anyone performing work for the City of Dover. Copies of such permits and licenses will be forwarded to the Purchasing Agent for the file prior to work commencing

VII SELECTION

Vendor selection shall be based on possession of the necessary experience, organization, technical and professional qualifications, skills and facilities, project understanding, approach, ability to comply with proposed or required time of completion or performance, and possession of a satisfactory record of performance.

CONTACT INFORMATION: SIGNATURE REQUIRED:

Official Entity Name		FOB Information:	
Address:			
City, State, Zip		Availability:	
Email address:		State of Incorporation	
Warranty/guarantee:		Price holds for:	
Date:		SSN or EIN:	
Telephone #:		Fax #:	
Signature:		Title:	

Check here if appropriate: _____ (X) NO BID

***IMPORTANT:** In order to be notified of any future bids associated with your service, please visit our new web page, www.dover.nh.gov proceed to the Finance/Purchasing/Bids page and add your company to our vendor database.. Under Contracted Services Class Code 16 Legal Services



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BID, RFP AND QUOTE TERMS AND CONDITIONS

1. **BID ACCEPTANCE AND REJECTIONS:** The City of Dover reserves the right to accept any bid, and to reject any or all bids; to award the bid to other than the low bidder if deemed "bid most advantageous to the City"; to accept the bid on one or more items of a proposal, on all items of a proposal or any combination of items of a proposal and to waive any defects in bids.
2. **FINAL BID PRICE:** Terms and FOB point are always part of the bid. FOB POINT IS ALWAYS TO BE DOVER, NH UNLESS OTHERWISE INDICATED BY THE BIDDER. IT IS THE BIDDER'S RESPONSIBILITY TO SO DESIGNATE A FOB POINT OTHER THAN DOVER. If the bidder has any special payment or delivery clauses which could effect the final delivery price of an item up for bid, that too shall be made part of the bid. If, however, this is not included in the bid, the seller will be solely responsible for any increased prices due to any circumstances.
3. **LATE PROPOSALS/BIDS:** Any bids received after specified date and time will not be considered, nor will late bids be opened.
4. **PAYMENT TERMS:** It is the custom of the City of Dover to pay its bills within 20 - 30 working days following delivery of, and receipt for, all items covered by the purchase order. In submitting bids under these specifications, bidders should take into account all discounts, both trade and time, allowed in accordance with the above payment policy.
5. **BRAND NAMES:** When the item is offered of a brand that is not known for use and/or reputation and financial stability is not well and favorably known to these officials, bids on such unknown brand may be rejected because of this lack of knowledge alone. Prospective bidders with such unknown brand should give information concerning it to the City Purchasing Agent so that it may be checked into for bids for the coming year. The bidder will state in the proposal the brand name and any guarantees of the material he/she proposes to furnish. The brand name is to be for the material that meets all specifications.
6. **SUBCONTRACTORS:** Where a project involves utilizing subcontractors, and the project is completed satisfactorily, the City of Dover reserves the right to request proof of payment to subcontractors by the general contractor prior to making final payment to the general contractor.
7. **PROPER DOCUMENTATION:** Any respondent to a bid request should sign off on and return to the Purchasing Department the original Bid Documentation Package which explains the scope of the bid request. Said signature, in the spaces provided, indicates receipt of, familiarity with and understanding of, and acceptance of the specifications provided, except as otherwise noted by the respondent.
8. **BID RESULTS:** The Purchasing Office will NOT respond to phone inquiries for Bid Results, other than to identify the apparent low bidder and his total bid price quotation. Individuals or company representatives may secure a comprehensive bid analysis of a particular bid request by either attending a bid opening (which is open to all interested parties); by coming to City Hall after a bid opening and asking to look through the file; by visiting our website at www.dover.nh.gov, or by sending a written request for the bid analysis along with a self-addressed stamped envelope.